



05-02-03

RCE #13/C  
J#133  
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PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request For Continued Examination (RCE) Transmittal

Address to:  
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Alexandria, VA 22313-1450

Application Number	09/613,964
Filing Date	11 July 2000
First Named Inventor	Dr. Walter Schubert
Art Unit	1641
Examiner Name	Padmanabhan K.
Attorney Docket Number	S159 1020

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
a. ☒ Deposit Account No. 09-0528

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_

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- b. ☐ Check in the amount of \$ 01 FC:253 465.00 CH
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David J. Hayzer, Ph.D.	Registration No. (Attorney/Agent)	43,329
Signature	<i>D. J. Hayzer</i>	Date	5/1/2003

### CERTIFICATE OF MAILING OR TRANSMISSION - Express Mail EV 324614426

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as ~~first class mail~~ in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Suzanne Skinner	Date	5-1-03
Signature	<i>Suzanne Skinner</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DOCKET NUMBER: S159 1020

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## PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re application of:</b>	)		
<b>SCHUBERT W.</b>	)	<b>Art Unit:</b>	<b>1641</b>
<b>Serial No: 09/613,964</b>	)	<b>Examiner:</b>	<b>PADMANABHAN K.</b>
<b>Filed: JULY 11, 2000</b>	)		
<b>For: A DEVICE FOR BINDING MOLECULES, MOLECULAR GROUPS, MOLECULAR PARTS, AND/OR CELLS</b>			

**RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §111**

Assistant Commissioner For Patents  
Washington, D.C. 20231

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Sir:

In response to the Office Action mailed November 4, 2002, and in view of the following amendments and remarks, Applicant respectfully requests that the above-referenced Application be considered for allowance. Claims 14 and 16-25 remain pending in the present application.

## IN THE CLAIMS

Please cancel Claims 16-25 without prejudice or disclaimer.

Please enter new Claims 26-41 as follows submitted herein for examination.